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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/654,857	09/05/2000	Marc Lamberton	FR9-1999-0061US1	8194

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EXAMINER

ZHONG, CHAD

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/654,857

Applicant(s)

LAMBERTON ET AL.

Examiner

Chad Zhong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. Claims 1-15 are presented for examination.
2. The disclosure is objected to because of the following informalities:
It is not clearly indicated where [356] exists on the figures (pg 11, line 26); Appropriate correction is required.
3. The use of the trademark IBM have been noted in this application (pg 4, line 16). It should be capitalized wherever it appears and be accompanied by the generic terminology. Appropriate correction is required.

Drawings

4. The drawings is objected to because figures 1-2 and 3a should be designated by a legend such as -Prior Art- only that which is old is illustrated (See pg. 8, lines 6-9). See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112, second paragraph

5. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 - a. The following terms lack antecedent basis:
 - i. said request – claim 4, 9, 14.
 - b. The claim language in the following claims is murky or not clearly

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understood:

- i. As per claims 2, 7 and 12 it is not clearly understood whether "a directory" refers to "a directory" in claim 1, 6 and 11 (i.e. if they are the same, the word such as "said" or "the" must be used);
- ii. As per claims 4, 9 and 14, it is uncertain whether "said request" refers to "access request" in claims 1, 6 and 11.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliott et al. (hereinafter Elliott), US 5,867,495, in view of Asano, US 6,477,577.

8. As per claim 1, Elliott teaches a client-server environment, a method for providing transparency in a gateway of an IP network comprising the steps of:

interrogating a directory comprising data for each end-user of said IP network (Col. 202, lines 56-63);
retrieving parameters associated with said data for a first end-user in response to an access request from a client application of said first end-user (Col. 116, lines 64-67);
relaying data between said client application and said application server (Col. 104, lines 20-31).

9. Elliott does not teach accessing an application server on behalf of said client application in accordance with said retrieved parameters for said first end-user.

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10. Asano teaches accessing an application server on behalf of said client application in accordance with said retrieved parameters for said first end-user (Col. 13, lines 13-26).

11. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Elliott and Asano because they both dealing with retrieving parameters and functioning as a gateway between two nodes in a network. Furthermore, the teaching of Asano to allow accessing an application server on behalf of said client application in accordance with said retrieved parameters for said first end-user would improve the latency and communication costs for Elliot's system by allocating the processing power which needed to retrieve the data from the client side to the gateway side, thus improving efficiency, and freeing up resources at the client.

12. As per claim 2, Elliott teaches the step of creating, in said gateway of said IP network, a directory including entries for every end-user on said IP network (Col. 65, lines 55-65).

13. As per claim 3, Elliott teaches the step of updating, in said gateway of said network, the directory of said end-users, said step of updating the directory including the steps of:

disabling entries for those of said end-users that disconnect;

enabling entries for those of said end-users that connect (Col. 70, lines 45-47); and

updating said entries of said end-users comprising dynamic parameters whenever said parameters are changing while connected (Col. 38, lines 4-7).

14. As per claim 5, Elliot teaches the step of informing said end-user of said client application that a server application is unavailable if a link to said application server is not established (Col. 120, lines 56-61;).

15. As per claims 6 and 11, claims 6 and 11 are rejected for the same reason as the rejection to claim 1 above.

16. As per claims 7 and 12, claims 7 and 12 are rejected for the same reason as the rejection to claim 2 above.

17. As per claims 8 and 13, claims 8 and 13 are rejected for the same reason as the rejection to claim 3 above.

18. As per claims 10 and 15, claims 10 and 15 are rejected for the same reason as the rejection to claim 5 above.

19. As per claim 4, Elliott teaches wherein the step of retrieving parameters associated with said end-user for said request from said client application includes the steps of:

obtaining leading data from said client application having issued said request for said end-user;

parsing said leading data (Col. 68, lines 2-3);

determining a protocol said client application is currently using (Col. 66, lines 9-14; Col. 91, lines 41-55);

interrogating said directory at an entry corresponding to said first end-user (Col. 202, lines 56-63);

retrieving parameters associated with said request (Col. 116, lines 64-67); and

executing said protocol in accordance with said parameters associated with said protocol (Col. 21, line 62 – Col. 22, line 2; Col. 18, lines 23-34; Col. 65, lines 55-65; Col. 91, lines 41-55).

20. Elliott does not teach executing said protocol in accordance with said parameters associated with said request. However it would have been obvious to one of ordinary skill in this art at the time of invention to execute the detected protocol with its associated parameters because doing so would be essential for Elliott's system to carry out the remainder of its workload. Furthermore, protocol needs parameters associated with the protocol to execute, parameters that doesn't associate with the protocol

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cannot cause the protocol to execute.

21. As per claim 9, claim 9 is rejected for the same reason as the rejection to claim 4 above.

22. As per claim 14, claim 14 is rejected for the same reason as the rejection to claim 4 above.

Conclusion

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents and publications are cited to further show the state of the art with respect to

“System and method for improving gateway transparency”.

- | | | |
|-------|---|--------------------|
| i. | US 2002/0059429 | Carpenter et al. |
| ii. | US 6,529,937 | Murphy, Jr. et al. |
| iii. | US 5,740,361 | Brown. |
| iv. | US 6,058,480 | Brown. |
| v. | US 6,078,943 | Yu. |
| vi. | US 2003/0140153 | Lawrence. |
| vii. | US 6,061,692 | Thomas et al. |
| viii. | “Address Allocation for Private Internets” RFC 1597, March 1994 | |
| ix. | US 6,477,577 | Asano. |
| x. | US 5,699,350 | Kraslavsky. |
| xi. | US 5,845,255 | Mayaud. |

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (703) 305-0718. The examiner can normally be reached on M-F 7am-4:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CZ

November 4, 2003



JOHN FOLLANSBEE
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